

**PLANT PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
66261-044-7

Total Pages in this Submission

**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

03915 U.S. PTO 10/644082  
08/20/03

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new plant patent application for an invention entitled (include plant's name):

**RASPBERRY PLANT NAMED 'JACLYN'**

and invented by:

**SWARTZ, Harry J.; FIOLA, Joseph A; STILES, Herbert D.; SMITH, Brian R.**

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Which is a:

Continuation    Divisional    Continuation-in-part (CIP)   of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee
2.  Specification having 15 page(s) (**2 copies required - 37 CFR 1.163(b)**)  
and including the following:

- Descriptive title of the Invention (*with Plant's name*)
- Cross References to Related Applications (*if applicable*)
- Statement Regarding Federally-sponsored Research/Development (*if applicable*)
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings
- Detailed Botanical Description
- Claim (only one (1) permitted MPEP 1605)
- Abstract of the Disclosure

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**Application Elements (Continued)**

3.  Drawing(s) in duplicate (as prescribed by 35 USC 165 and 37CFR 1.165(b))

Drawings:       Color       Black and white  
 Photographs:       Color       Black and white

Total Sheets: 10

4.  Oath or Declaration

a.  Newly executed (original or copy)       Unexecuted

b.  Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)

c.  With Power of Attorney       Without Power of Attorney

d.  DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5.  Incorporation By Reference (*usable if Box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**Accompanying Application Parts**

6.  Plant Color Coding Sheet

7.  Assignment Papers (cover sheet & document(s))

8.  37 CFR 3.73(b) Statement (*when there is an assignee*)

9.  English Translation Document (*if applicable*)

10.  Information Disclosure Statement/PTO-1449       Copies of IDS Citations

11.  Preliminary Amendment

12.  Acknowledgment postcard

13.  Certificate of Mailing

First Class     Express Mail (*Specify Label No.*): \_\_\_\_\_

14.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)

15.  Verified Statement(s) to Establish Small Entity Status Under 37 C.F.R. 1.9 and 1.27.

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**Accompanying Application Parts (Continued)**

16.  Additional Enclosures (please identify below):

**Application Data Sheet**

**Fee Calculation and Transmittal**

The filing fee for this plant patent application is calculated and transmitted as follows:

	<b>BASIC FEE</b>	\$260.00
<b>OTHER FEE (specify purpose)</b>		\$0.00
	<b>TOTAL FILING FEE</b>	\$260.00

- A check in the amount of \_\_\_\_\_ to cover the total filing fee is enclosed.
- The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- Charge the amount of \_\_\_\_\_ as filing fee.
- Credit any overpayment.
- Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: August 20, 2003



Signature

Richard H. Tushin, Reg. # 27,297  
DYKEMA GOSSETT PLLC  
CUSTOMER NO. 25269

cc: